

ALABAMA ATTORNEY GENERAL TROY KING



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**From the Desk of
Attorney General Troy King**

Once again, I am back in Montgomery. The workers are outside my window clearing the white crosses that have stood silently and powerfully and vividly reminding all who passed during the last few weeks of the incredible loss of life that has occurred within Alabama's borders as a result of violent crime during the last year. During that time, I have been privileged to be with many of you once again. As I look upon these crosses for the last time this year and as this week of remembrances and vigils come to a close, here are the thoughts that have predominated my mind this week:

- ◆ 345 white crosses.
- ◆ 345 horrific moments that once filled the pages of our state's newspapers.
- ◆ 345 stories that led off the nightly news.
- ◆ 345 faces who are gone but who will never be forgotten.

And that is just last year.

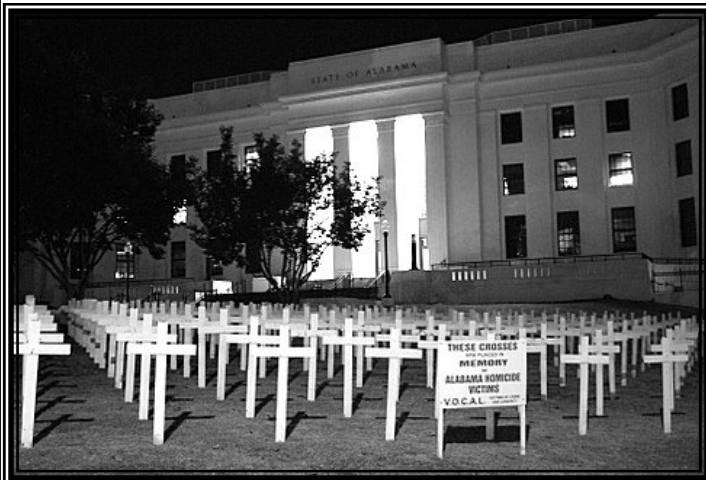
When I learned my Office would be relocating into the

old Public Safety Building in downtown Montgomery, the first call I made was to Miriam Shehane, my hero and one of my inspirations as Attorney General, the mother of the victims' right movement, to request that, as soon as my new building was complete, these crosses return to my yard where they would stand as silent reminders to everyone who comes to downtown Montgomery of the great pain still lingers on for hundreds of families.

Just as importantly, they remind those of us who have the privilege of working for you and, therefore, for justice, of why we go to work everyday and what we keep fighting for. It is something much higher and more important than a paycheck. It is not just a job. Instead, we in the Attorney General's Office and in law enforcement agencies and prosecutors' offices across Alabama have answered a high calling and sworn a sacred oath to you – to the victims and survivors of



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crime – that you will never face the system alone and that those who seek to deprive you of justice – either by keeping you from ever obtaining it in the first place or by ripping it from you after it has been won in court – will have to come through us to do so.

The crosses placed in the front of my building are about three feet tall, white and stand in perfect rows. To walk among them is to be reminded of the all too common, and tragic, presence of violent crime in our midst. To look down upon them, is to see the faces of those who I remember because I have met your family or handled your case – sometimes in court, other times at a parole hearing, and still others of you because we have lit our candles together at vigils for years. As my mind wanders and your families

flash across it, I am reminded that, for many, the tears remain as fresh on the cheeks of those left behind as the dew is on those crosses. For all, the hearts are irreparably broken and the loss never lessens.

In recent days, I have held the hands of many victims and prayed with and for the families they left behind. I have dried the tears they cry as they long for answers and for justice and I realize that today, twenty-five years after the victims rights movement truly got underway in America, victims still find themselves dragged into a system that is, too often, hostile.

So this year, as in years past, I say to you that I dream of the day when we can put away the candles and cancel the vigils because violent crime is only something we read about and remember, because the victims and survivors of violent crime have as many rights as those who attack and abuse them. Until then, though, I lit a candle again this year for each of those 345 victims whose crosses are outside my window on my lawn, for the thousands more who survived their attack but who have been permanently scarred, for the hundreds of thousands of victims and survivors of violent crime who have preceded them across our nation, and for the millions more who still remember someone who they loved and lost. Today and every day, my thoughts and prayers are with and of each of you and my resolve to stand up and fight for you is stronger than ever. I have been proud to do so every day for the last five years. I shall be proud to do so for five more.

May God bless and comfort you.

ALABAMA LEGISLATION UPDATE



My Office and I proposed four bills regarding crime and crime victims that were passed by the Alabama Legislature this year. The passage of these bills is a great victory for law enforcement and crime victims in Alabama. These bills will help make Alabama a safer place, especially for families and children. Victims of crime and their families should rest assured that, from the courtroom to the State House, I continue to do everything in my power to fight crime and bring justice to victims.

Senate Bill 120, sponsored by Senator Myron Penn and Representative Steve McMillan (House version), is a much-

needed law that is crucial to protecting our children from the ever-growing threat they face over the Internet, as well as other emerging technologies. The law has been unclear on whether a person can be charged with soliciting a child by computer if the person being solicited is actually a law enforcement officer and not a child. Before House Bill 221 became law, police and other law enforcement agencies around the state conducted sting operations, often successfully catching pedophiles who attempted to solicit children. But because they were soliciting undercover agents and not actual children, these sting operations too often did not result in convictions for the solicitation of a child by a computer. This bill clarifies the law, making it very clear that online solicitation of a child is a felony even if a child is not involved.

This bill also expands the law in order to ensure that new technologies are covered. It makes it clear that it

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is unlawful to solicit a child by any online or electronic method, not just by a computer. The bill also creates a new crime of traveling to meet a child for an unlawful sexual act, punishable by a Class A felony. The passage of House Bill 221 is a proud day for the state and our children. It is a new and powerful tool for law enforcement to protect our children from those who would prey on them.

Senate Bill 15, sponsored by Senator Rusty Glover and Representative Spencer Collier (House version), is named in honor of a fallen Montgomery police officer. Officer Keith E. Houts was shot and killed in 2006 while making what was supposed to be a routine traffic stop.

This bill makes it a Class A misdemeanor to intentionally flee from law enforcement, and elevates the crime to a Class C felony if the flight creates a risk of death or injury to bystanders or third parties. It also requires, for anyone convicted of fleeing from the police, the suspension of his or her driver's license for a minimum of six months. The bill is crucial to reducing the number of individuals who flee from law enforcement, particularly during traffic stops. The passage of this bill will help protect the men and women who patrol our streets and help keep our streets safer for all Alabama citizens.

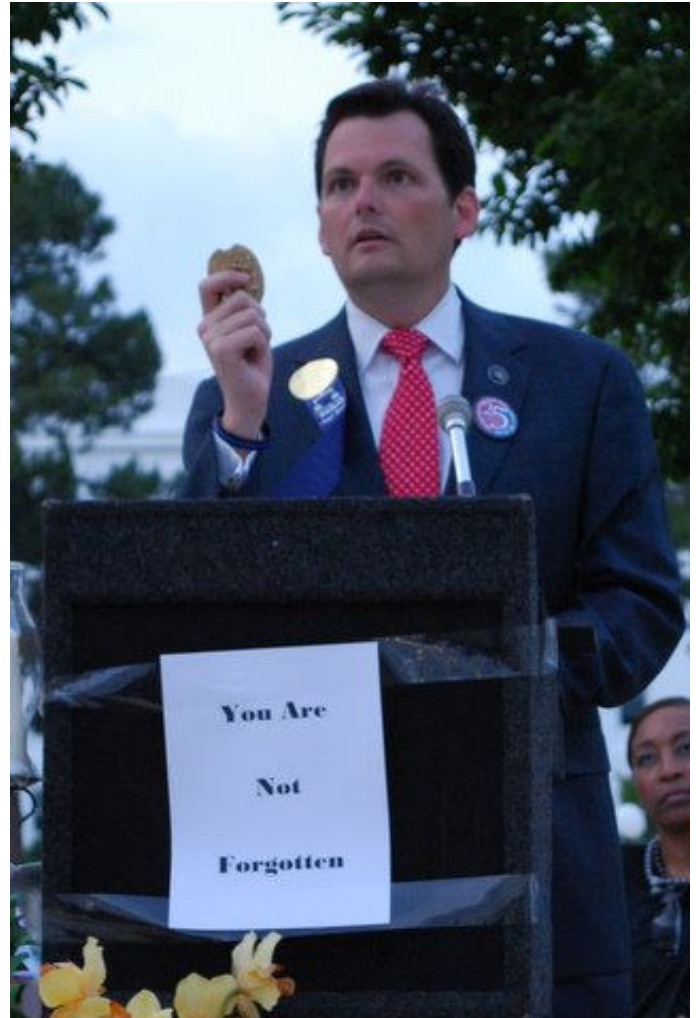
Senate Bill 383, sponsored by Senator Zeb Little and Representative Cam Ward (House version), will help victims of crime get the restitution they deserve. This bill will also help end the practice of allowing brutal murderers and rapists to profit from their crimes. If a felon attempts to sell any thing of value, including artwork or memorabilia depicting his crime, any profits would be seized in order to compensate his victims. The bill establishes mandatory minimum restitution amounts of \$50,000 for capital murderers and \$10,000 for repeat rapists. The bill allows the Attorney General to ask for a court order seizing the offender's assets in order to satisfy the restitution order. This bill is a victory for victims of crime and their families.

This bill will help victims get the restitution they deserve and end the humiliating practice whereby murderers and rapists profit from their crimes through the sale of despicable artwork that depicts their victims and their crimes. Its passage honors Stephanie Gache.

Finally, House Bill 297 sponsored by Representative Billy Beasley and Senator Harri Anne Smith (Senate version), gives family members of murder victims the opportunity to be present at the execution of the person responsible for murdering their loved one. Previously, the law allowed only two immediate family members of the victim to be present at an execution. This bill increases the number to eight family members. It also allows for members of any other victims, for whose death the person to be executed

was not sentenced to death to be present. Its passage benefits the families of crime victims and allows more of them the opportunity to be present at the execution if they wish.

Though the passage of these four bills is a huge victory for the citizens of Alabama, the fight is not over. We, as citizens and parents, must remain ever vigilant to the dangers our families face. The perseverance that victims of crime have shown me all across this State inspires me to fight on. I can assure you, that as the fight to protect the people of Alabama continues, I will never rest.



Serving Alabama's Victims

Doris E. Hancock

Victim Service Officer



Doris was hired by the Attorney General in 2006. She is a Victim Service Officer in the Victim Assistance Division of the Office of the Attorney General. She works in the Victims Rights and Public Action Hotline Section. She attended college at Faith Theological Seminary and College in Milton, Florida, earning her B.S. in Religious Studies in 1982. In 2002, Doris received her certification as a Victim Service Officer from the University of Alabama at Birmingham's Department of Justice Services. Then, in 2005, she was certified by Troy University's Court Administration Program.

For almost fifteen years, Mrs. Hancock has worked in areas of state and local government, with over ten of those years working in areas of Victims Services and Victims Rights. She worked at the Henry County Probate Court for Judge Lamar Turner from 1995-1999. From 1999 to 2006, Doris worked for District Attorney Douglas Albert Valeska in the 20th Judicial Circuit's Henry County Office, serving the People in the Administrative Division, the Worthless Check Unit, the Grand Jury Unit, and ultimately as Victim Service Officer. As a result of her hard work and dedication, in 2005 she was selected as Alabama's Victim Service Officer of the Year. Since 2006, she has worked for the Office of the Attorney General.

Doris's dedication to the People of Alabama extends beyond her professional life. She is affiliated with such great organizations as the Attorney General's Council of Victims, the National Office of Victim's Assistance (NOVA), and Victims of Crime And Leniency (VOCAL of Montgomery).

Throughout her career, Mrs. Hancock has attended many educational classes in the areas of Child Abuse, Human Trafficking, Domestic Violence, Forensic Interview Protocol, and Rape Crisis Protocol. In addition to these classes, she has also attended specialized law enforcement training at the annual Governor's Conferences.

Doris Hancock is one member of a dynamic team of individuals having dedicated their lives to serving others. She truly is an asset to the People of Alabama. As a Victim Service Officer, Doris provides individual support and assistance to victims and their families to help them cope with the emotional trauma of victimization. She also explains the complicated criminal justice and appeals processes and recommends ways to access the many resources throughout the state that are available to victims of crime.

If you are the victim of a crime and would like to know what resources are available to you, please contact Doris Hancock at 1-800-626-7676 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Keeping Victims Informed with ALAVINE®

In the aftermath of a crime, victims and their loved ones need access to critical offender information.

The Attorney General's Office and the Alabama Criminal Justice Information Center fulfill this need with Alabama VINE® (Victim Information and Notification Everyday) — a free, anonymous service that allows crime victims and other concerned citizens to track the custody status of offenders held in jail or prison. They can also register to be automatically notified by phone and e-mail of an offender's release, escape, transfer, or court appearance.

Users can call 1-877-846-3425 (1-866-847-1298 for TTY users) or log onto www.vinelink.com and choose Alabama from the map displayed. By entering the offender's name or identification number, users can obtain the offender's location and register for notification. Operators are available around the clock to assist callers in both English and Spanish.

Law enforcement officers, advocates, prosecutors, and victims across the country praise VINE because the service helps to uphold victims' core rights to be informed, present, and heard. It also saves taxpayers money by eliminating the need to manually notify victims about offenders' movements through the justice system, allowing staff to focus on their core responsibilities. Alabama VINE is funded by a grant from the Bureau of Justice Assistance, U.S. Department of Justice.

UNDERSTANDING THE ALABAMA BOARD OF PARDONS AND PAROLES

By: Pete Smyczek



In the last issue of the Victim's Voice, this article discussed the Board's procedures for granting parole, standards for release of prisoners on parole, how a parolee is retaken, and discharge from parole. This issue will focus on pardons, specifically on the pardoning of a person who had a death sentence commuted to life imprisonment, when pardons are null and void, and the pardoning of a person convicted of a sex offense involving a child.

PARDONS, GENERALLY

No pardon relieves a prisoner from civil and political disabilities (such as the ineligibility to vote) unless the Board of Pardons and Paroles specifically expresses such in the pardon.

No pardon can be granted unless the prisoner has successfully completed at least three years of permanent parole or until the expiration of his or her sentence if his or her sentence was for less than three years.

A pardon based on innocence may be granted only upon the unanimous vote of the Board after receiving clear proof of his or her innocence of the crime for which he or she was convicted. In addition, for a pardon based on innocence, the written approval of the judge who tried his or her case, or district attorney is also needed.

PARDON OF PERSON HAVING DEATH SENTENCE COMMUTED TO LIFE IMPRISONMENT

Any person whose sentence to death has been commuted by the Governor is not be eligible for a pardon unless

sufficient evidence is presented to the Board of Pardons and Paroles to satisfy it that the person was innocent of the crime for which he or she was convicted. In addition, before a pardon may be granted, the Board must vote unanimously to grant the person a pardon, and the Governor must concur in and approve the pardon.

Any pardon, parole, remission of a fine or forfeiture or restoration of civil and political rights granted, ordered or made contrary to the requirements of these laws shall be null and void and shall have no force or effect.

PAROLE OF PERSONS CONVICTED OF SEX OFFENSE INVOLVING A CHILD

Any person convicted of a Class A or B criminal sex offense involving a child under the age of 12 or any offense involving child pornography, after October 1, 2005, is not eligible for parole.

FEATURE PROSECUTOR TINA COKER

ASSISTANT ATTORNEY GENERAL

Tina is a lifelong resident of Lowndes County and lives there now on a family farm raising quality purebred and crossbred cattle along with American Quarter Horses. She graduated as Valedictorian from Lowndes Academy and then received a Bachelor of Science from Duke University in 2000. While at Duke, she was a member of both the Duke Women's Crew Team and then the Duke University Equestrian Team (D.U.E.T.), was a member of the Alpha Omicron Pi sorority, and was involved with both InterVarsity Christian Fellowship and the Fellowship of Christian Athletes.

After college, Tina returned home to complete law school at Cumberland School of Law in Birmingham. Tina graduated *cum laude*, receiving a Dean's Merit Scholarship. She is a member of the Order of the Barristers, and was on the

Dean's List. While at Cumberland, Tina was very active in many student groups, along with serving as the Editor-in-Chief of the American Journal of Trial Advocacy and serving as a member of Cumberland's National Trial Advocacy Team.

Immediately after school, Tina served as Judicial Clerk to Justice Jean Brown on the Supreme Court before returning home to become a prosecutor for the Second Judicial Circuit. Tina served in Lowndes, Butler, and Crenshaw Counties for almost three years and became the Chief Deputy Prosecutor for her jurisdiction. There, Tina was able to prosecute cases of all levels – from traffic misdemeanors in city court all the way to assisting with the trial of the largest mass murder in Alabama history, committed by Westley Harris of Crenshaw County. The first trial of the case ended in a mistrial, and Tina was involved in the successful prosecution of a jury member for perjury and an additional person for jury tampering. Tina then was able to assist this office in the second murder trial, and Harris now sits on death

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row. While working as a local prosecutor, Tina not only came to love her job and the families that she was able to work for, but she also came to know well and respect the various members of law enforcement with whom she worked. She soon began to institute continuing education for the officers in her region, and in time has become a regular instructor for both the Alabama State Trooper Academy in Selma and the Montgomery Police Academy.

In April of 2007, Tina came to the Attorney General's Office and spent over a year working with the Capital Litigation Division. Specializing in mostly Rule 32 appeals before Circuit Courts all over the State, Tina gained a great deal of experience handling complicated appeals along with getting to interact with and counsel the victims of Alabama's most heinous crimes as they learn to deal with the unfortunately long and laborious appeals process.

In July of 2008, Tina became one of the newest members of our Violent Crimes Division, working for Division Chief Don Valeska. Tina is delighted to be a member of this unit and works diligently to help prosecute cases of all types all across the state. She has been involved in numerous cases involving everything from traffic homicides, to dogfighting, to cold cases involving child victims of sexual abuse. She is currently involved in the direct prosecution of a capital case here in Montgomery, and has been deeply involved in the pre-trial appeals process occurring in that case as well. Tina has expressed that she loves her job, and feels that it is an honor to be able to prosecute criminal cases on behalf of the people of the State of Alabama on a daily basis. "It is a dream come true to be here in this division, working for and with such wonderful people – I am truly blessed."

Away from work, Tina is an active member of Hayneville Baptist Church and participates in many other groups. She is the treasurer of the Lowndes County Cattleman's Association, is the Lowndes County Representative to the Alabama Horse Council, and was a Charter Member of the Alabama Homicide Investigators' Association. She also is active in equestrian events and enjoys showing her horses on weekends at shows all over the Southeast.

A MESSAGE FROM THE INVESTIGATIONS UNIT OF THE ATTORNEY GENERAL'S OFFICE

**From: Mr. Gene Sisson
Chief Investigator for General King**

Dear Citizens of Alabama:

I have spent my entire adult life serving and protecting our families. In that arena, I have found myself to be the first responder to more violent crime scenes than I can recall and have watched countless victims and surviving family members pour out their hearts when they discover they have been touched by such horrors. I have held in my arms too many

mothers and fathers who learned they had lost a son or daughter. I have held too many children as they learned they would never again play in the laps of their parents and grandparents. Like so many others across this great state, I am proud to be your Sheepdog guarding your homes at night from the wolves who seek to destroy our lives. As such, however, I have always tried to display a steady bearing - hoping my outer strength and certainty in your futures might provide a solid footing against which you might someday push back your despair. When life around you had crumbled, I felt I needed to show you I could hope enough for all of us.

But I have a confession to make. I cry for you to this very day. On those nights I broke the news of your loss, I cried for you when I sat back down in my car. Many times I have stepped away from you as you were huddled with family and friends at Headquarters only to walk to the nearest empty office so I could privately mourn your loss. Most times, after parting company on those seemingly hopeless nights, I never saw you again. After I became a Detective, I was able to maintain contact with you but still had to conceal the private battle that raged in my heart knowing the difficult process you were yet to endure in our courtrooms.

Prior to this year, I had never attended a Victims' Vigil. This year, I met many of you at the side of General King at four services across Alabama. In each city, you strengthened my soul and renewed my commitment to continue serving Alabama's victims. You are still grieving but you are different. You have found a way to rise again to your feet and the fire in your eyes has solidified my allegiance to you. I was finally able to cry with you this year and that burden long borne by those such as me is not nearly as heavy as before. For the privilege you extended me to take a step toward shedding that weight, I thank you. I love each of you like family. More importantly, I respect you and will never betray the trust you have placed in Troy King who has commissioned me to be the tip of the spear in his fight for you.

May God Bless You All,

Gene Sisson

Chief Sisson retired from the Montgomery, Alabama Police Department in September 2007 after 21 years of service and became a Special Agent with the Office of Attorney General the following day. He was appointed by General King to his current position in March 2009. Chief Sisson has extensive experience from his career working the streets of the Capital City investigating Narcotics, Burglary, Robbery, Homicide, Internal Affairs and crimes that would fall under the umbrella of White Collar.

PROTECTING ALABAMA'S CHILDREN



WHAT IS CHILD ABUSE?

Child abuse is harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury; sexual abuse or attempted sexual abuse; sexual exploitation or attempted sexual exploitation.

SIGNS OF PHYSICAL ABUSE

Physical Indicators

- Unexplained bruises, welts, human bite marks, bald spots
- Unexplained burns, especially cigarette or immersion burns
- Unexplained fractures, lacerations, or abrasions
- Swollen areas
- Evidence of delayed or inappropriate treatment for injuries

Behavioral Indicators

- Self destructive
- Withdrawn and/or aggressive – behavioral extremes
- Arrives at school early or stays late as if afraid to be at home
- Chronic runaway (adolescents)
- Complains of soreness or moves uncomfortably
- Wears inappropriate clothing to cover body (ex. sweaters; long sleeves in hot weather)
- Bizarre explanation injuries
- Wary of adult contact
- Apprehensive when other children cry

SIGNS OF NEGLECT

Physical Indicators

- Abandonment
- Unattended medical needs
- Consistent hunger, inappropriate dress, poor hygiene
- Lice, distended stomach, emaciated
- Inadequate nutrition

Behavioral Indicators

- Regularly displays fatigue or listlessness (falls asleep in class)
- Steals food, begs from classmates
- Reports that no caretaker is at home
- Frequently absent or tardy
- Self destructive
- School dropout (adolescent)
- Extreme loneliness and need for affection

SIGNS OF EMOTIONAL ABUSE

Physical Indicators

Emotional abuse may be name-calling, insults, put-downs, etc., or it may be terrorization, isolation, humiliation, rejection, corruption, or ignoring.

- Speech disorders
- Delayed physical development
- Substance abuse
- Ulcers, asthma, severe allergies

Behavioral Indicators

- Habit disorders (sucking, rocking, biting)
- Antisocial, destructive
- Neurotic traits (sleep disorders, inhibition of play)
- Passive and aggressive behavioral extremes
- Delinquent behavior (especially adolescents)
- Developmentally delayed

SIGNS OF SEXUAL ABUSE

Physical Indicators

Sexual abuse may be **touching** – fondling, molesting, oral sex, intercourse, or **non-touching** – obscene language, pornography, exposure.

- Torn, stained, or bloody underclothing
- Pain, swelling, or itching in the genital area
- Difficulty walking or sitting
- Bruises or bleeding in genital area
- Venereal disease
- Frequent urinary tract or yeast infections

Behavioral Indicators

- Withdrawal from others, chronic depression
- Excessive seductiveness
- Role reversal, overly concerned for siblings
- Poor self-esteem, lack of confidence
- Peer problems, lack of involvement
- Massive weight change / change in appetite
- Suicide attempts (especially adolescents)
- Crying, nausea, upset stomach
- Inappropriate sex play or premature understanding of sex
- Clinging to caregiver
- Unwilling to change clothes in front of anyone
- Exhibits fantasy or baby-like behavior
- Frequent nightmares / bed wetting
- Change in school performance

WHEN TO REPORT

Make a report when you know or suspect that a child is being abused or neglected. Although it is not necessary to prove that the abuse or neglect happened, you should have at a minimum a good-faith suspicion, if not concrete knowledge, of the abuse or neglect. It is better to err on the side of wrongful reporting rather than risk further injury or death of a child. Do not delay in reporting if you do not have all the needed information. Additional information can be added later.

